

**BEST AVAILABLE COPY****RECEIVED  
CENTRAL FAX CENTER****JUL 05 2006**REMARKS

In the outstanding office action, claims 1-23 were presented for examination. Claims 1, 2, 4-20, 22 and 23 were rejected under 35 U.S.C. §102(e) in view of United States Patent Publication No. 2004/0052091 filed by Peter Lee while claims 3 and 21 were rejected under 35 U.S.C. §103 over Lee in view of United States Patent Publication No. 2005/0094385 also filed by Peter Lee.

In the present amendment claims 1, 12 and 19 have been canceled rendering the rejections with regard to the same as being moot.

Independent claim 10 has been amended to include the limitation of "wherein said second housing portion further comprises a movable engagement tab being positionable from a first position to a second position, said movable engagement tab being formed of a material having resilient characteristics and said movable engagement tab being configured to engage a portion of said first housing portion". This limitation was previously submitted as dependent claim 12 (now canceled). Thus, no new matter has been added.

Independent claim 15 has also been amended to include the limitation of "wherein said lower housing portion further comprises a movable engagement tab being positionable from a first position to a second position, said movable engagement tab being formed of a material having resilient characteristics and said movable engagement tab being configured to engage a portion of said upper housing portion". This limitation was previously submitted as dependent claim 19 (now canceled). Thus, no new matter has been added.

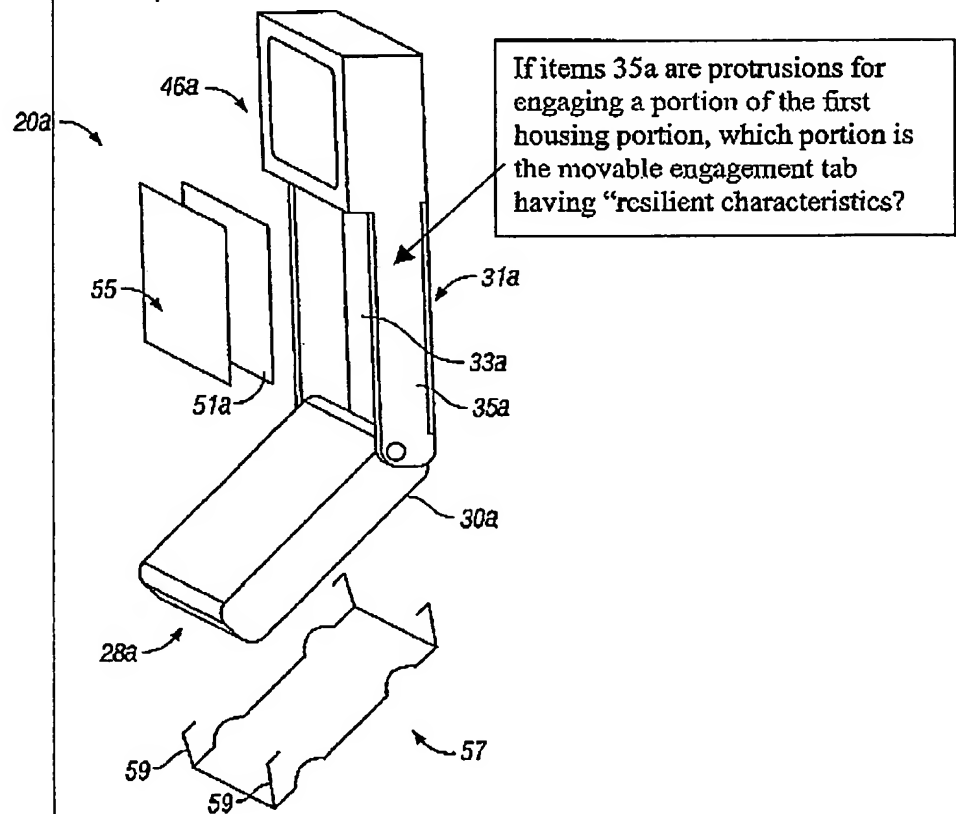
Applicant respectfully submits that the "movable engagement tab" of claims 10 and 15 is clearly not shown, disclosed or taught by either Lee reference.

**BEST AVAILABLE COPY**

In the outstanding office action and when referring to dependent claim 13, it has been proffered that "Peter Lee discloses a movable engagement tab having a pair of projections (35a) for engaging a portion of the first housing portion".

Applicant respectfully requests reconsideration. Figure 4 of United States Patent Publication No. 2004/0052091 is reproduced below.

Patent Application Publication Mar. 18, 2004 Sheet 3 of 10 US 2004/0052091 A1



**FIG. 4**

Accordingly, applicant respectfully submits that publications of Peter Lee fail to teach or disclose a movable engagement tab being positionable from a first position

**BEST AVAILABLE COPY**

to a second position, said movable engagement tab being formed of a material having resilient characteristics and said movable engagement tab being configured to engage a portion of said upper housing portion”.

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. V. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Moreover, “[t]he identical invention must be shown in as complete detail as is contained in the \* \* \* claim.” *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

To anticipate a claim under 35 U.S.C. § 102, a single source must contain all of the elements of the claim. *Lewmar Marine Inc. v. Barient, Inc.*, 827 F.2d 744, 747, 3 U.S.P.Q.2d 1766, 1768 (Fed. Cir. 1987), *cert. denied*, 484 U.S. 1007 (1988).

Accordingly, applicant respectfully submits that claims 10 and 15, as amended, are allowable over the Lee references as the same fails to teach or disclose a “a movable engagement tab being positionable from a first position to a second position, said movable engagement tab being formed of a material having resilient characteristics and said movable engagement tab being configured to engage a portion of said first housing portion” or “a movable engagement tab being positionable from a first position to a second position, said movable engagement tab being formed of a material having resilient characteristics and said movable engagement tab being configured to engage a portion of said upper housing portion”. Accordingly, claims 10 and 15 are believed to be allowable over the Lee reference.

Claims 2-9, 11, 13-14, 16-18 and 20-23 depend from either directly or indirectly from claims 10 and 15 accordingly, claims 2-9, 11, 13-14, 16-18 and 20-23 are also believed to be in a condition for allowance for at least the same reasons as claims 10 and 15 in addition to including additional limitations.

**TEST AVAILABLE COPY**

In view of the above amendments and the discussion relating thereto, it is respectfully submitted that the present application is in condition for allowance. Such action is most earnestly solicited. If for any reason the Examiner feels that consultation with Applicants' attorney would be helpful in the advancement of the prosecution, the Examiner is invited to call the telephone number below for an interview.

If there are any charges due with respect to this Amendment or otherwise, please charge them to Deposit Account No. 06-1130, maintained by the applicant's attorney.

Respectfully submitted,

By: 

Christopher C. Boehm  
Reg. No. 41,624

Date: July 5, 2006  
Telephone: (248) 524-2300  
Fax: (248)-524-2700